

REMARKS

This Amendment is being filed in response to the Office Action mailed February 6, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

By means of the present amendment, claims 1-32 have been amended for non-statutory reasons, such as for better form including beginning the dependent claims with 'The' instead of 'A'. Such amendments to claims 1-32 were not made in order to address issues of patentability and Applicants respectfully reserve all rights under the Doctrine of Equivalents.

In the Office Action, claims 1 and 17 are rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Without agreeing with the position forwarded in the Office Action and in the interest of advancing prosecution, claims 1 and 17 have been amended to remove the alleged informality noted in the Office Action. It is respectfully submitted that the rejection of claims 1 and 17 has been overcome and an indication as such is

respectfully requested.

In the Office Action, the Examiner objected to claim 17 for a certain informality. Without agreeing with the position forwarded in the Office Action and in the interest of advancing prosecution, claims 17-32 have been amended in accordance with the Examiner's suggestion. Accordingly, withdrawal of the objection to claim 17 is respectfully requested.

In the Office Action, claims 1-7, 12-13, 17, 20-21 and 32 are rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 7,006,838 (Diener). Claims 8-11, 14-16, 18-19, 22-23 and 25-31 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Diener in view of U.S. Patent No. 6,963,283 (Gonzales). It is respectfully submitted that claims 1-32 are patentable over Diener and Gonzales for at least the following reasons.

Diener is directed to a target terminal TT 100 whose location is to be measured, by the TT transmitting a signal received MANY receivers or RT's 200, 210, 230 that have known locations. That is, the location of a target terminal TT 100 is determined by this SINGLE transmitter or TT (location is to be measured) transmitting

a signal received **MANY receivers** or RT's 200, 210, 230. (See FIG 2, box 2000 and column 4, line 67 to column 5, line 1) For example, the Abstract specifically recites that the "target device's signal is received at a plurality of known locations." (Abstract, lines 4-5; emphasis added)

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claim 17, amongst other patentable elements recites (illustrative emphasis provided) :

- (a) generating a first signal that is characteristic of a first, relatively immobile object;
- (b) transmitting the first signal from the first relatively immobile object;
- (c) detecting the first signal at a receiver;
- (d) generating a second signal that is characteristic of a second, relatively immobile object;
- (e) transmitting the second signal from the second, relatively immobile object;
- (f) detecting the second signal at the receiver;
- (g) generating a third signal that is characteristic of the relatively mobile object;
- (h) detecting the third signal at the receiver;
- (i) operating a processing device operatively connected to the receiver using signal time-of-flight (t-o-f) data and/or received signal strength information (RSSI) of the first, second and third signals to establish a distance of the relatively mobile object respectively from the first and second relatively immobile objects.

A SINGLE receiver that receives three signals from three transmitters associated with three objects is nowhere taught or suggested in Diener. Rather, Diener discloses MANY receivers or RT's 200, 210, 230 that have known locations and receive a signal from SINGLE transmitter or target terminal TT 100 "whose location u is to be measured." (Column 2, line 65) Gonzales is cited to allegedly show other features and does not remedy the deficiencies in Diener.

Accordingly, it is respectfully requested that independent claims 1 and 17 be allowed. In addition, it is respectfully submitted that claims 2-16 and 18-32 should also be allowed at least based on their dependence from independent claims 1 and 17 as well as their individually patentable elements. Accordingly, separate consideration of each of the dependent claims is respectfully requested.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the

presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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Enclosure: Petition to Revive

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